

1 KEVIN V. RYAN (CSBN 118321)
United States Attorney

2 EUMI L. CHOI (WVBN 0722)
3 Chief, Criminal Division

4 PHILIP J. KEARNEY (CSBN 114978)
RICHARD J. CUTLER (CSBN 146180)
5 Assistant United States Attorneys

6 450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
7 Telephone: (415) 436-6758, 6867
Email: philip.kearney@usdoj.gov
8 richard.cutler@usdoj.gov

9 Attorneys for the United States of America

10 UNITED STATES DISTRICT COURT
11
12 NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,) No.: CR 05-00507 WHA
)
14 Plaintiff,) STIPULATION AND PROPOSED ORDER
) CONTINUING DATES FOR HEARING
15 v.) AND PROPOSED ORDER EXCLUDING
) TIME BETWEEN JUNE 20, 2006
16) AND JULY 11, 2006 FROM THE
17 BERNARD THOMAS, JR.,) SPEEDY TRIAL CALCULATION (18 U.S.C.
) §§ 3161(h)(1)(F) and 3161(h)(8)(B)(iv))
)
18 Defendant.)
) San Francisco Venue

19
20
21 STIPULATION

22 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
23 counsel that:

24 1. Counsel for both parties have received and are going through defendant's pre-plea
25 criminal history calculations that was received on June 5, 2006. Both parties need additional
26 time to meet and confer concerning discovery, motions, and possible plea negotiations.

2. The continuance will allow for continuity of counsel and allow counsel for both parties to address various issues in the case with due diligence.

3. Additionally, defendant's motion for discovery and for disclosure of exculpatory evidence is still pending and the issue may be resolved with additional contact between the parties prior to hearing and decision on the motion.

4. The government contacted counsel for the defendant on today's date and received her verbal authorization to enter the electronic signature below.

5. Accordingly, the status conference and the hearing date on defendant's motion, currently scheduled for June 20, 2006, at 2:00 p.m., should be continued to **July 11, 2006, at 2:00 p.m.**

DATED: KEVIN V. RYAN
United States Attorney

6/19/06 /S/

PHILIP J. KEARNEY
RICHARD J. CUTLER
Assistant United States Attorney

DATED: 6/19/06 /S/

ELENA CONDES
Counsel for defendant BERNARD THOMAS, JR.

STIPULATION AND ORDER
CONTINUING DATES

ORDER

Based upon the above Stipulation, and for good cause appearing, THE COURT
HEREBY ORDERS THAT:

The status conference is continued so that the parties can meet and confer
concerning the pre-plea criminal history calculations and the hearing date on defendant's motion
for discovery and disclosure of exculpatory evidence is continued to **July 11, 2006, at 2:00 p.m.**
and that the time between June 20, 2006 and July 11, 2006 is excluded from the speedy trial
calculation pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and 3161(h)(8)(B)(iv)).

SO ORDERED.

DATED: June 20, 2006

